



THE CITY OF SAN DIEGO

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Requesting Department: Ethics Commission
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ITEM 52

ORDINANCE: O-19327 (NEW SERIES)

**DATE OF ADOPTION
BY CITY COUNCIL:** MONDAY, NOVEMBER 22, 2004

REGARDING: ELECTION CAMPAIGN CONTROL ORDINANCE
AMENDMENTS

**FOR ADDITIONAL
INFORMATION,
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PUBLIC NOTICE

**ELECTION CAMPAIGN CONTROL
ORDINANCE AMENDMENTS**

ORDINANCE NUMBER O-19327 (NEW SERIES)

AN ORDINANCE AMENDING ORDINANCE O-19317,
WHICH REPEALS AND RE-ENACTS THE CITY OF SAN
DIEGO ELECTION CAMPAIGN CONTROL ORDINANCE, TO
CHANGE ITS EFFECTIVE DATE FROM JANUARY 1, 2005,
TO JANUARY 5, 2005

WHEREAS, the San Diego Municipal Election Campaign Control Ordinance [ECCO],
codified at Chapter 2, Article 7, Division 29 of the San Diego Municipal Code, was first adopted
in April of 1973 by Ordinance No. O-11034 N.S.; and

WHEREAS, the City Council has amended ECCO from time to time to clarify certain issues; and

WHEREAS, on September 7, 2004, the City Council adopted Ordinance O-19317, which has the effect of repealing existing ECCO and replacing it with a new version of ECCO based on recommendations made by the Ethics Commission and modifications approved by the Rules Committee; and

WHEREAS, Ordinance O-19317 presently has an effective date of January 1, 2005, a date that was carefully selected in order to prevent substantial changes to campaign laws during an election cycle; and

WHEREAS, on September 7, 2004, the City Council also adopted Ordinance O-19316, calling a Special Municipal Election in the City of San Diego, Council District 4, on November 16, 2004, for the purpose of electing a Councilmember for Council District 4, and also calling a Special Run-off Election on January 4, 2005, if no candidate receives a majority of the votes cast for the Office at the November 16, 2004, election; and

WHEREAS, eight candidates have qualified to have their names listed on the ballot for the Council District 4 election, thus raising significant doubt that one candidate will receive a majority of votes cast at the November 16, 2004, election; and

WHEREAS, if there is a Special Run-off Election on January 4, 2005, the candidates in that election will be subject to substantial changes to campaign laws in the midst of an election cycle if Ordinance O-19317 becomes effective on January 1, 2005; and

WHEREAS, substantial changes to campaign laws in the midst of an election cycle will likely cause confusion, anxiety, and uncertainty for candidates and committees, and their supporters and opponents, particularly with regard to changes in the law relating to the

participation of general purpose recipient committees, the aggregation of contribution limits, independent expenditures, and prohibitions on reimbursements; and

WHEREAS, changing the effective date of Ordinance O-19317 from January 1, 2005, to January 5, 2005, will ensure that substantial changes to ECCO do not occur in the midst of an election cycle; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Ordinance O-19317, adopted by the City Council on September 7, 2004, and having the effect of repealing existing ECCO and replacing it with a new version of ECCO based on recommendations made by the Ethics Commission and modifications approved by the Rules Committee, is amended to take effect and be in force on January 5, 2005, instead of on January 1, 2005.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on November 8, 2004.

Passed and adopted by the Council of the City of San Diego on November 22, 2004.

AUTHENTICATED BY:

DICK MURPHY
Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California

By: Gil Sanchez, Deputy